



SHERBORNE SCHOOLS GROUP

Equal Opportunities Policy for Staff

Approving body: Finance Committee
Owner: Chief Operating Officer
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Executive Summary

This document is for employees of the Sherborne Schools Group and outlines the Group's commitment to equality, fairness, respect and dignity at work, and eliminating all forms of discrimination.

It aims to raise awareness amongst employees with regard to discrimination, to ensure a fair, respectful and inclusive workplace where everyone feels valued.

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Introduction

The Sherborne Schools Group (the Group), of which Sherborne School, Sherborne Girls, Sherborne Prep, Hanford, Sherborne International and their trading subsidiaries are parts, is an equal opportunities employer and will take every possible step to ensure that employees are treated fairly. The Group is committed to encouraging equality, diversity and inclusion, and eliminating any form of discrimination. All Group policies and practices conform with the principle of equal opportunities, particularly but not exclusively in terms of:

- recruitment and selection
- opportunities for training, promotion and career development
- pay and benefits
- terms and conditions of employment
- conduct at work
- grievance and disciplinary matters
- redundancy and dismissal.

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a Protected Characteristic², because they are perceived to have a Protected Characteristic, or because they are associated with someone who has a Protected Characteristic. These principles of non-discrimination and equality of opportunity also apply to the way in which employees must treat visitors, pupils, parents, suppliers and former members of staff.

This policy applies to the Group's staff, whether permanent, temporary, casual, part-time or on fixed-term contracts. The Equal Opportunities principles outlined in this policy also apply to other individuals who may work at or have interactions with the Group from time to time. This may include employees, workers, applicants, contractors, consultants and volunteers. Where

² Protected Characteristics include: age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation ([Equality Act 2010](#)).

these individuals have not complied with the principles of equal opportunities in their interactions with the Group, the Group will take appropriate steps to follow up and take appropriate action in accordance with the circumstances and arrangements.

The operation of the Group's policies and procedures will be reviewed regularly to ensure that no employee or prospective employee is disadvantaged by conditions or requirements which cannot be shown to be justifiable. Where there is any conflict between this policy and the policies of individual schools and trading subsidiaries within the Group, this policy takes precedence.

Implementation and Responsibilities

The Governing Body has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Governing Body has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to Senior Staff, specifically the Heads, the COO and the Human Resources department (HR).

All employees working in positions of management or leadership within the Group have a specific responsibility to:

- set standards of behaviour
- lead by example
- ensure that those they line manage adhere to the policy and promote the aims and objectives of the Group with regard to equal opportunities.

All employees of the Group have a duty to:

- act in accordance with this policy
- treat colleagues with dignity at all times
- not discriminate against, harass or victimise other members of staff.

The Group is committed to supporting its employees and ensuring that the work environment is one where every member of staff feels valued and respected. As an employer, the Group is aware that there are circumstances where it may be at risk of being held responsible for the acts of individual members of staff and therefore will encourage an environment of inclusivity. The Group, with the assistance of its employees, will:

- break down any barriers to equality of opportunity which may prevent employees from realising their full potential or accessing benefits
- advertise vacancies and ensure job selection criteria are appropriate for the role
- promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary
- ensure that all employees are fully aware of and understand this policy
- examine and review existing procedures to ensure they are not discriminatory in their operation
- ensure that the language used in official communication reflects the letter and spirit of the policy
- not tolerate any discriminatory practices or behaviour.

Forms of Discrimination

The Equality Act 2010 recognises the following four different forms of discrimination:

Direct Discrimination

Direct discrimination is where somebody has been treated differently or worse than another employee due to a Protected Characteristic.

An example is if an older employee is not allowed to work as part of a social media marketing team because they are considered too old to understand the concepts, despite having the same level of expertise as a younger employee. This example is a form of direct discrimination due to age.

Indirect Discrimination

Indirect discrimination can be less obvious than direct discrimination and may be unintentional. It occurs when a plan or rule is put in place which is not discriminatory but puts people with specific characteristics at a disadvantage.

An example may be setting a minimum height requirement for a job where height is not relevant. This example discriminates against women (and some specific ethnic groups) who are generally shorter than men. This example is a form of indirect discrimination due to gender/ ethnicity.

In particular circumstances, direct and indirect discrimination may be lawful if the employer can objectively justify it.

Victimisation

Victimisation is where somebody becomes a victim of harmful behaviour because they have done (or may have done) one of the following things in good faith:

- made an allegation of discrimination
- supported a complaint of discrimination
- given evidence relating to a complaint about discrimination
- raised a grievance concerning equality or discrimination
- done anything else for (or in connection with) the Equality Act 2010, such as bringing an employment tribunal claim of discrimination.

An example may be that an employee (A) raises concerns regarding a colleague (B's)'s access arrangements due to a disability they (B) have. As a consequence of raising this concern, the employee (A)'s line manager begins to ignore their views and opinions as they consider them to be a troublemaker.

Harassment

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. Bullying, the use of nicknames, gossiping and inappropriate questions can all be forms of harassment if used to humiliate, intimidate or exclude someone.

When questioned, it is not a defence for the harasser to say that they did not mean their behaviour to offend. With harassment, the victim's feelings towards the action are more important than how the harasser intended their conduct.

For further information relating to harassment and professional behaviour in the workplace, see the SSG Staff Code of Conduct and the Staff Grievance policy.

Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating a hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or biological sex.

Sexual harassment takes many forms, but in any form is unlawful under the Equality Act 2010 as amended and is not tolerated within the Sherborne Schools Group. Instances of sexual harassment or victimisation may lead to disciplinary action up to and including termination of employment. Any criminal acts will be reported to the police.

For further information relating to sexual harassment, please see the SSG Sexual Harassment Policy.

Dignity at Work

Employees must not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to instant dismissal. Harassment may take the form of unwanted conduct which is related to a relevant Protected Characteristic and which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristics which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidatory behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal workplace conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if it is significantly grave.

Recruitment, Selection and Progression

The Group recognises that fostering an inclusive diverse culture adds value through developing ideas, experiences, skills, knowledge and creativity as well as employee wellbeing and engagement. The Group is committed to attracting staff from a wide talent pool in order to replicate the global community in which we live, and to benefit from the breadth of skills and experiences that people from different backgrounds can contribute.

The recruitment, selection and progression processed within the Group are governed by the Group's principles of non-discrimination and the Group aims to ensure that no job applicant or employee receives less favourable treatment on any of the unlawful grounds listed in this policy:

Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their individual merits. All applicants will be dealt with courteously and as expeditiously as possible.

Job selection criteria will always be justifiable on non-discriminatory grounds as being essential for the effective performance of the job. In line with safer recruitment practices, appointments will only be confirmed on receipt of:

- two satisfactory references
- DBS checks

- Self-declaration of physical and mental fitness to carry out the responsibilities of the role
- Satisfactory completion of a probationary period

and, where applicable:

- a check of the list of those prohibited from teaching and/ or management
- certificates of good conduct (overseas police checks)

All promotion decisions will be made on the basis of merit. All employees will be given fair opportunities and access to training to enable them to progress within the Group. Staff training needs shall be identified through annual staff development reviews/ appraisals and interim updates in conjunction with the relevant training-needs-analysis.

Equal Pay

As part of the Group's commitment to equal opportunities, all employees, regardless of gender, should receive equal pay for:

- the same or similar work
- work rated as equivalent under a job evaluation study
- work of equal value.

Equal pay means all forms of contractual remuneration (including overtime rates, pension benefits, sick leave and holiday pay) and non-cash contractual benefits.

The Group aims to ensure that it operates a fair and transparent pay system based on objective criteria and free from gender bias. The Group will do this by:

- carrying out annual reviews of pay and benefits for existing employees and initial pay and benefits for new employees within the Group (including those on parental leave and sick leave), considering the findings and taking action to address any pay discrimination
- preparing an annual gender pay gap report to identify any difference in the average pay between male and female workers, and publishing that information on the Group's website
- carrying out regular checks of the pay grading structure within the organisation's pay structures to ensure they are free from bias, that there are no unjustifiable differences between average rates of pay for male and female workers within each pay grade, and that there is no discrimination in the progression within and through the grades
- informing staff of how their pay has been determined in each salary review.

The Chief Operating Officer and Heads are responsible for equal pay within the Group and will review and ensure compliance with this policy with the HR department at regular intervals, which will be at least annually.

Disability

Individuals who are disabled, or who become temporarily disabled in the course of their employment, are encouraged to notify the Group of their condition to enable the Group to provide the appropriate support and ensure equal treatment. Employees are encouraged to discuss with their line manager, the HR department and/ or the Health and Safety department, any reasonable adjustments that may be required to working conditions or duties for their role.

Careful consideration will be given to every proposal for reasonable adjustment to work based on disability and the Group may wish to consult with a medical advisor about possible

reasonable adjustments. Where it is possible, reasonable and proportionate adjustments to the needs of the individual and their role will be accommodated. This may include, but is not limited to, consideration of the provision of specialist equipment, job redesign, and flexible hours. Should the Group consider that a particular adjustment would not be reasonable, the reasons for this will be explained and efforts will be made to find an alternative solution wherever possible. Once an adjustment has been made, its operation may need to be reviewed at agreed intervals to assess its continuing effectiveness.

School sites across the Group will be reviewed from time to time to ensure appropriate and suitable access for all (see Accessibility Plan). The Group will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the Group will take steps to improve access for disabled users of the premises.

Breaches of the Policy

If an employee considers that they have been discriminated against, disadvantaged or harassed within the Sherborne Schools Group workplace, they are encouraged to raise the matter through the Group's grievance procedures. Allegations regarding potential breaches of this policy will be treated sensitively, in confidence, and investigated in accordance with the relevant procedure.

Should the employee prefer to speak with someone before raising a grievance, they are encouraged to do so with their Line Manager, a member of SLT or the HR department. If the employee chooses to raise a grievance, and following the conclusion of the grievance procedure it is considered that they have been harassed or bullied by an employee then the matter will be dealt with under the Staff Disciplinary policy as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party such as a parent or visitor, the Group will consider what action would be appropriate to deal with the problem. Whether or not the grievance is upheld, consideration will be given to how best to manage any ongoing working relationship between the persons concerned.

The procedures linked to equal opportunities apply during and after termination of employment. The Group wishes to ensure that staff feel comfortable about raising such complaints. No individual will be penalised for making an allegation in good faith. Any employee who makes a false accusation of a breach in this policy which are found to have been made in bad faith will be dealt with according to the Staff Disciplinary Policy.

If an employee has a grievance raised against them regarding a breach of this policy, an investigation will be carried out as outlined above. If, following an investigation, they are proven to have engaged in any unwanted conduct related to one or more of the grounds set out in this policy, or otherwise acted in breach of this policy, they will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Group will always take a strict approach to serious breaches of this policy.

Summary of Changes in Issue 2

- Section on Sexual Harassment included.